

THE CHARLOTTE JOURNAL.

ETERNAL VOILANCE IS THE PRICE OF LIBERTY FOR POWER IS ALWAYS STRIVING FROM THE MANY TO THE FEW

VOLUME XL.

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Chas. W. Harris, Mill Grove, N. C.

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Counting-House Almanac.

1861.

Bring the first after Bazaar or Leap Year.

Month	Day	Month	Day	Month	Day
JANUARY	1	FEBRUARY	1	MARCH	1
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A distinction without a difference.—We have not a doubt but many soldiers, rich in honor occur in those courts where foreigners are now every day taking final sentences for the prosecution of their naturalization papers.

Joanna Favento, a subject of the Emperor of Russia, went up before Judge Buchanan to commutate the act of citizenship. His head was whisked over by the front of many visitors, and there was an odd hand cander in his manner which told that he was an old salt, who had braved many an angry billow.

Testimony was given to the Court that the applicant for citizenship was a sailor on board the U. S. Frigate Constitution, during the last war, and no doubt, did the State some service.

"And," said the Judge, as he administered the oath, "you swear allegiance to the constitution."

"No, no," said the old Russian, "not the Constitution, but the Constitution ship, very fine ship."

It was found necessary to enter into a long explanation before he would swear allegiance to any thing but the frigate Constitution.—Lynch, Virginian.

A Novel Orchestra.—In the Theatre Saloon at St. Louis they are exhibiting a mammoth skeleton, and the band of music engaged for the occasion is stationed in the interior of the skeleton, enclosed by its ribs, being the most commodious place in the saloon.

From the New York Herald.

THE TEXIANS AND MEXICANS.

NEW ORLEANS, Nov. 30th, 1840.

We have a few items of Mexican news this morning by a schooner from Tampico. Canales who has been the chief of the division of the Federal army in Tampico has surrendered to the Government with all his forces. He was a formidable antagonist, and his surrender will render the Federal army nearly invincible in that portion of Mexico, where his influence was most felt. It is rumored that a proclamation (a part of which) had been held at Vera Cruz and that the standard of Federalism had been raised. I learn further that the duty of 15 per cent on goods imported into the interior had been repealed. You will probably remember that this tax was regarded as exceedingly onerous and unjust, and had excited universal indignation among both the mercantile classes and the people of the interior.

The mails here are again in a most wretched condition. Five from the North are due this morning—business is completely cramped by the delay in receiving accounts per the British Queen via New York. It seems that Mr. Holton's mission to Washington only proved beneficial so long as it remained there.

P. S. I send a hasty line or two before the mail closes to inform you, that we have just received intelligence that Canales and the other Federal chiefs, in surrendering to the government, compounded for their own lives by delivering up 150 Texian Volunteers to the tender mercies of the Mexicans. Arista, the Central General, accepted the infamous proposal. The Texians who were abandoned by their treacherous allies, were immediately surrounded by the Central army and were barely shot down to a man, fighting bravely to the last. This atrocious conduct has filled every eye with horror and indignation, and I refer you to the papers for full accounts, as I have not time to add another word.

LATE FROM MEXICO.

NEW ORLEANS, Dec. 1.

RETREAT OF THE MEXICANS.

Slaughter of the Murderers—And escape of the Mexican Patriots.

Since our publication of yesterday, in which the accounts from our correspondent at Matamoros left more than 100 young Texians at Saltillo, about to be sacrificed at the shrine of cowardice—we have conversed with a passenger from Texas by the New York, Mr. Ed. Dwyer, of San Antonio, who has communicated to us some new and heart cheering facts. Mr. D. was only six days from San Antonio to Houston, and on the journey put up at a house where Col. Jordan, (the commander of the 114 Texians whom the Mexicans had planned to murder) had just before stopped for refreshment. Mr. Dwyer learned, and has no doubt of the correctness of the information, that when the Texians became convinced of the intentions and treachery of the Mexicans, they retired by themselves to a walled enclosure in the vicinity, determined to face the worst. At this time the citizens of the place, considering the contest at an end, opened their houses and shops, and gave the soldiers whatever they wished to eat or drink. The consequence was, that the bulk of them got badly drunk; and in this situation they were ordered by their commanders to attack the fort, as the Mexicans were termed. The battle commenced about 2 P. M. and lasted near nine hours. The Texians were well protected from the fire of the assault; and were moreover well armed and abundantly supplied with ammunition. The result was that the ignorant and intoxicated cowards who assailed them, incapable of inflicting injury, were slaughtered on all hands. At this juncture, the beleaguered fort and captured three pieces of artillery, which they turned upon their enemy and mowed them down like grass. More than FOUR HUNDRED of the treacherous foe were left lifeless on the ground on that night; by this small branch of the Anglo Saxon race.

The Texians having cleared the field, supplied themselves with apparel, of which they were much in want, and other spoils of victory, and commenced their march homeward, and pursued their way without molestation, having lost only four companions killed in the fight, and one who died from disease.

A Naval Sight for Charleston.—A couple of Whales of the Humpback species were seen on Thursday, the 10th inst, in the vicinity of the Bar by one of the pilots, and on Thursday night, about 8 o'clock, they were again seen about 300 yards east of Exchange wharf, by Capt. Cook, of ship Ilex. There was a party of ladies and gentlemen on board at the time, who were highly gratified by a sight of these mighty Leviathans of the deep.—Patriot.

The mines of the Hariz mountains in Hanover produce annually from 5 to 11 ounces (4 to 5 pounds English) of gold; about 5,000 marks (2,540 lbs.) of silver; upwards of 80,000 quintals of iron; about 3,000 quintals of copper; 50 quintals of tin; 100,000 quintals of lead and litharge; 200,000 quintals of salt; 2,200,000 barrels of coal; and 1,500 quintals of sulphur.

Definition of Charab.—A lady (married of course) was once troubled with a quarrelling brat, whom she always addressed as "my charab." Upon being asked why she gave it that appellation, she replied—"Because it is derived from charabim, and the Bible says, the cherubim continually do cry." Good, that.

SPEECH OF T. L. CLINGMAN.

In the Senate, on the 31st instant, on the bill to construct the Raleigh and Western Turnpike Road.

Mr. Speaker: It was not my purpose originally to detain the Senate with a speech at this time. The subject is not one well calculated to invite the speaker. There are no great principles involved in its discussion, no constitutional points for the metaphysician to elucidate; nor does it afford a field for the exercise of the passions, or the play of fancy. It is a plain matter of fact, detail and calculation. It would have been more agreeable to me not to have addressed the Senate in the present stage of the bill. But as it was my fortune to report it, and as it was accompanied by any written statement of the views of the committee, I feel it incumbent on me to explain the object of its several provisions and to state some of the reasons in favor of its passage.

It is well known, Sir, that an impression prevails very generally, that the present is an unfavorable time for the presentation of such a project. It is a period of almost universal depression and distress. There is an unparalleled scarcity of money, a great cessation of travelling, and a general stagnation in business. By consequence, some of the public works in progress have been suspended for a time, while those already completed have yielded far less profit than their projectors anticipated. Several of our sister States having heretofore embarked in extensive schemes of internal improvement, and having borrowed large sums of money to perfect them, now find themselves deeply involved in debt, and almost overburdened by their past engagements. Notwithstanding these coming difficulties, I do not hesitate to express the opinion that this is the safest and best time for the consideration and adoption of such a measure as that proposed by the bill now under consideration. In the loss of health and vigor, we often overestimate our strength. In periods of great general prosperity, when property is highest, commerce most flourishing, and money most abundant, we often greatly overrate the ability of our powers and the extent of our resources. Under the influence of feelings excited by such a condition, individuals and States are apt to embark in magnificent enterprises, which they have not the means to accomplish. They are then in danger of being arrested in their career by the first obstacle and overwhelmed by adversity. But, on the other hand, we begin at the period of the greatest depression, if we take our place at the bottom of Fortunes wheel, then we have least to apprehend. Any change must be for the better. The danger then is least we should be too timid to attempt any thing. North Carolina has in these matters ever erred on the side of caution. If therefore, the task now is not too great for our strength, if we can only begin to move, we may feel assured that our vigor will increase as we progress, and the burden become lighter with each step. Can we then, Sir, under existing circumstances, accomplish what this bill proposes? I expect to show, Sir, that we can do so without additional taxation, without borrowing, and without curtailing any of our present expenditures, whether for education, or for other purposes.

Let us, Mr. Speaker, in the first place, examine the different provisions of the bill. It proposes that the road shall begin at this place. Raleigh is the capital of the State; the termination of one Rail Road, and in the vicinity of another, which must be long reach it. It is near the centre of the State, between the Northern and Southern boundary, and in the line of travel between the East and the West. The termination of the Road is to be on the Tennessee line, or at the level of Asheville. It is in the alternative for this reason. If the road should take its course through the North Western counties it ought unquestionably to be continued to Tennessee. But, on the other hand, it should take a route through the middle or Southern counties, which it appears to me, for reasons that I will presently state, will be the most eligible location, then it must inevitably pass through Buncombe county. In that event, on its reaching Asheville, it will find the better route from thence on to Tennessee, already occupied by the Buncombe turnpike. That road, even now the best in our State through the Alleghany range, can be greatly improved, by giving the company an extension of the term of its existence and requiring it to be a condition precedent to improve their road. Besides, Sir, without even this, it may be compelled by the Courts, to keep the road up to the specifications of the charter, which is frequently not its condition. This, the large profits of its stockholders will enable them to accomplish without any hardship. Such being the state of things, there is no need that the road from this place to the west should extend farther than Asheville. The termini being thus established, the bill is intentionally silent as to the route between them. This has been complained of. It has been said to me, "why do you not show your hand?" Come out and let us know how you propose to locate the road, and we shall then know whether to support it or not. There are two reasons, Sir, why I deem it inexpedient to designate in the bill any particular line for the road. In the first place, it is impossible for any one, without an accurate knowledge of the ground, to be required only by a survey, to undertake to determine which is the best route. By simply looking at a map of the State, no one can tell what portions of the country present the fairest prospects, and which best adapted to the structure of a turnpike. Nor can he ascertain, without an extended examination, what location will confer the greatest benefit on the citizens of the State. In one

word, Sir, to combine utility in the highest degree with economy, will require much time and observation. In the second place, if, disregarding these considerations, I should fix the route, the measure must be defeated on this floor. The Senators representing the counties of the line, believing, as they perhaps might well do in many instances, that their counties afforded a route as favorable as that proposed, would exclaim against that unfairness and injustice, by which their constituents were, without a trial, cut off from all chance of receiving the greatest benefit. But if after a full examination, the best route is selected, we should all acquiesce. Nature has then decided against us, and we feel it to be our duty to submit to her decrees. This, Sir, is the only mode by which success in such a measure can be attained. Let us, then, be content with fixing the extremes, and leave to the Board, after a careful examination, to select that intermediate route which will, at the smallest expense, furnish the road most beneficial to North Carolina.

But again, Mr. Speaker, it is urged that the work is too extensive to be undertaken at once; that we ought to be content with a section only of one-third or one-half the distance. If a rail road were proposed, the completion of which even to the Yadkin would cost about two millions of dollars, then, Sir, I should concur with the objectors. If the work could not be executed for the whole distance without involving the State in debt, then we should, as we have been heretofore, be willing to bide our time. But as the measure proposed in this bill is entirely within our present means, as far as its character it can be completed as easily in two years as in any longer time; and especially as it can be most useful only when it is finished, why should we not go on to the full extent? The West is the region most in want of the road, the West will be most benefited by it, and it is the West which has been most neglected. If, therefore, with the means in your hands to relieve us, you delay it without reason, your conduct will seem absurd and liberal.

Is the work, Mr. Speaker, of such a character that the State ought to execute it? To establish the affirmative of this, it must, in the first place, be made to appear that the measure is a beneficial one, and secondly that it will not be carried through by individuals. As I shall have occasion presently to discuss the first of these propositions, I will for the present assume the utility of the enterprise. Will individuals, then, execute the work? It seems to me, Sir, that there is no reason to hope it. At the rate of tolls provided by the bill, they would not receive a fair return from their investment. Should the tolls be as raised as to make the stock profitable, it is not probable that the travel would be driven from the road?

Even if this effect should not follow, its value to our citizens would be greatly diminished. I desire that this road shall be a great state work for the benefit of our citizens, a central thoroughfare between the East and the West; and the advantages resulting therefrom in North Carolina will amply repay her for the expenditure.

It is said, however, and much stress is seems, to be laid upon the objection, that a great waste of public money is in essence, and that the Board will expend much more than the sum appropriated. The building of this capital is then alluded to with an air of triumph, and we are told that it has cost just ten times as much as was anticipated at its commencement. Are the cases at all parallel? When the Legislature made the first appropriation of fifty thousand dollars for the capital, it imposed no limitation on the commissioners, and they, therefore, expended that sum in laying the foundations of the edifice. If they had been told that such a building only was to be constructed as could be finished with that sum, a different result must have followed. So it was with each subsequent appropriation, they were merely voted with the understanding that the building was to be continued and finished according to the original plan. Besides, Sir, these commissioners were responsible to nobody. They were merely appointed by the legislature to expend the moneys voted, a task which they accomplished with wonderful celerity and despatch.

I do not wish to be understood as taking it upon myself now to affirm either that the building is too insignificant, or that it has cost more than such edifices usually do. I am merely condemning the manner in which the affair was managed. It was well ordered by the initiated, that the first appropriation was only sufficient for the foundation. The managers went upon the supposition that the members of the legislature had not sufficient intelligence and public spirit to construct a capital worthy of the State; and that it was therefore necessary to entrust them with it. Sir, I have no taste for deception of this sort, and am utterly opposed to all fraud, even though it should be called pious. The intellect and public spirit of the country, if properly appealed to, will sooner or later grant all that ought to be asked. The bill now under discussion expressly limits the Board of Internal Improvement to an average expenditure of one thousand dollars per mile. If that sum should prove sufficient to complete the road according to the specifications, it is made their duty to do it. If it should be otherwise, then they are authorized only to make the best road which the sum appropriated will enable them to construct. And how is this bill constructed? The Governor of the State is at its head, and he appoints the other members. He is an officer elected by the people, and responsible to them, because re-eligible. To suppose that he would violate an express provision of the

law, and that that violation will be sanctioned by the people, and by the next legislature strikes me as a presumption. This case, therefore, is far from resembling that of the rebuilding of the capitol, in all respects the reverse.

Will the sum appropriated be sufficient, Mr. Speaker, to construct the road according to the specifications? At first I doubted, but the examination of similar roads, and some observation of the country, have brought me to the conclusion that it will be ample for the purpose. Most of the line, a region is less favorable for such a work than that over which this road is to pass. There the country is generally far more broken, and the frequent ledges of rock requiring blast greatly increase the expense of grading. But from this place to the mountains the country is most favorable for our purpose. By keeping as much as possible on the ridges between the streams, the road may frequently pass over many miles at a time where it will seldom be necessary to change the natural grade of the surface. But I have, Sir, that to offer which is entitled to far more weight than any thing I could say on this point, the opinion of Major Gwynn. Of his skill as an engineer, and of his candour as a man, it is unnecessary for me to speak. It is his impression that the road may perhaps be made for eight hundred dollars a mile; but he is so well satisfied that one thousand is sufficient, that he authorizes me to say to the Senate that he is willing to take the whole contract at that rate, and to give bond for its execution.

The width of the graded portion of the road is to be twenty-two feet. Supposing the elevation of the embankment or road bed to be eighteen inches, three times that as the bill proposes to be added to the width so as to give the slopes one and a half foot base to one foot of elevation, together with two feet additional on each side, will make the entire width between the ditches thirty feet. I am satisfied that good policy does not permit the road way to be narrower than this. It is, however, provided that if great difficulties are encountered, as, for example, deep side cutting on a steep hill which cannot be avoided, then the graded surface may be reduced to fifteen feet.

The maximum grade for the road is not to exceed 2 degrees, or an elevation of one foot in twenty horizontal. This can be obtained without serious difficulty, no one will doubt who remembers that many of our rail roads are limited to a grade of 30 feet to the mile, or one in 176. Though some of them have perhaps attained an elevation of 50 feet to the mile, or about 1 in 60; yet since the load a locomotive can carry on such a road is not more than one-fourth the usual one, it is deemed advisable always to avoid such steep grades when practicable. It is further to be considered that the curves on the turnpike may be far greater than the rail road will admit. To increase the draft as much as may be practicable, no reasonable effort should be spared to render the road as nearly level as practicable. Besides, Sir, I look forward to the time when it will become the interest of the State to McAdamize the road wholly or in part. It is desirable, therefore, that the road bed should be so constructed that it may hereafter become the foundation of a McAdamized road, if it should be our interest to make it one. According to the plan proposed in the bill, this contingency will be completely provided for. Nor will there be any loss whatever of labor or money in converting the one sort of road into the other. In some instances, when the only object is to construct a McAdamized turnpike, until the graded portion of the road is beaten down by travel so as to be firm, the contractors are not allowed to put on the metal. This is owing to the fact that the excellence of that road depends upon the cover being water tight so as to keep the earth underneath always dry and thereby render the whole firm. Such, however, is said to be the case only when the stone is not permitted to mix with the earth, but packed separately from it. To effect this, raking the stone is sometimes necessary to prevent any mixing of earth with it until the road is consolidated. But by adopting the course which this bill proposes, it will hereafter only be necessary to trim a little of those portions of the road which it may be deemed expedient to McAdamize.

The tolls proposed to be raised, it will be observed, are more moderate than such as are exacted on most roads of this kind. Inasmuch as the work is to be owned exclusively by the State, they may be increased at any time as sound policy may seem to dictate. Many persons, I know Mr. Speaker, are of opinion that no tolls ought to be collected. It is, however, impossible that any road can remain in good condition without more supervision and labour than are usually given with us. It would, therefore, be necessary from time to time to call on the legislature for appropriations to keep it in repair, and a considerable waste of money must ensue. It does, however, appear to me that the work will best answer the purpose for which it was intended, by fixing the rate of tolls so low that the farmers may all find it decidedly to their advantage to use the turnpike. The excess of the receipts above what is necessary to keep it in good condition, ought at first to be expended in McAdamizing such portions as may require it.

I now come, Mr. Speaker, to that portion of the bill which provides that those living on the road shall work on it. If every person who travels on this turnpike, should be compelled to pay tolls, much hardship would be the consequence to those living immediately on it. Being, from their situation obliged to use it frequently for short

distances, the payment of toll might become quite onerous. The result might be that parallel roads would be kept up, and the turnpike would be abandoned. To obviate this evil, and at the same time to avoid the unjust distinction, it is proposed that those living on the line, within five miles of the turnpike, shall be compelled to work five days in each year on it, if required by the Board; and that no person shall be obliged to pay any toll for travelling on the road in his county or within five miles of his residence. It will thus happen that it may be used as a county road by each citizen, and one living on the line may travel ten miles into an adjoining county toll free. As a return for this advantage, it is proposed that those residing within two miles shall contribute as much labour to the road as citizens of the State usually are obliged to perform. If five days should be deemed too much, then I have no objection to the Senate's reducing the time, though it is now, perhaps, less than citizens of the mountain regions are obliged annually to perform. The county courts are authorized to exempt the two mile hands from working on all other roads. I should have made the provision absolute in favor of their exemption, but for the reflection that it might be inconvenient to do so in those cases where the turnpike passed through a village or other point where a number of roads come together. In that event, it would be right for the Board to compound the matter with each citizen and allow a part of them to work on other roads, since the labour of the resident might be sufficient for keeping the turnpike in repair in the vicinity. From these provisions, I think that advantage would result alike to the citizen and to the Board. Major Gwynn thinks that fifty days labour annually on each mile will be sufficient to keep the road in repair. By taking two miles on each side, we have four square miles to each one in length. Upon the supposition that there are ten hands on the four miles, or two and a half on each square mile, (and the actual number will average this at least) they will, at five days per hand, expend fifty days labour, an amount sufficient to keep the road in good repair.

The last section of the bill, Mr. Speaker, provides for the survey of a route from the town of Fayetteville to some point on the line of the turnpike, at least seventy miles west of Raleigh. Also, in the event of the main road's going to the south of Wilkes county, it directs a survey to be made from some convenient point on it to the town of Wilkesborough; and that reports of each of these surveys be made to the next Legislature. The purpose of this provision requires little explanation. The State ought, it seems to me, to construct immediately the main trunk from this point to the extreme west. That, however, will be insufficient for the wants of the State. Much of the western trade goes to Fayetteville. After, therefore, the main line is located, another, diverging from it, ought to be made, in the direction designated. In the event, likewise, of the road now under consideration passing through the central or southern counties of the west, the northern tier will need a road pointing somewhere in the direction of Wilkesborough. Let us, then, Sir, concentrate all our energies upon the execution of that work which is to pass through the entire length of the State west of us, and after it is finished, let us make such roads, intersecting it, as may be necessary to meet the wants of all our citizens. I have no doubt, Sir, that if this main line were established, we should, even without any aid from the State, have good roads made from it to every county town within a moderate distance. This is what has occurred in other States; and I am quite sure that there is public spirit and sagacity enough among our citizens to induce them to construct good roads of twenty or thirty miles in length, if by so doing they could reach a good turnpike. The very example of a first road before the eyes of the community, would be worth a great deal. What a waste of labor do we not see on highways, badly laid out in the first instance! If a road is so constructed that the middle of its bed is lower than the sides, as we often observe them, each heavy rain renders it almost impassable; and the citizens are so frequently called out to put it in order, that it costs more labor in ten years than would be necessary to construct and keep up a good road.

Having thus, Mr. Speaker, endeavored to explain the provisions of the bill and their several objects, I come now to the great inquiry, have we the means, at this time, to construct the work? If we have not, then there is an end of the question. If we have not the power to make the road, then it is a waste of time to discuss its merits. I hold in my hand an exhibit of our financial condition, prepared at my request, with much care by his Excellency the Governor, which I desire to submit to the Senate. (Mr. C. then read at length a statement of the various sources of revenue and of the amount derived from each.) From this it appears, that though our Internal Improvement fund amounts now to only the sum of \$333,468 24, yet that this considerably exceeds the amount now appropriated, viz. \$260,000. Can we avail ourselves of all the sum in the next two years? I frankly admit that in my opinion we cannot. A larger portion of the amount now in the Treasury, which for reasons have formerly stated, will probably be available for some time to come, cannot be commended at any time.

This, together with \$200,000, raised by adding the cash now on hand, would

[illegible][illegible]

The session of a new county out of
of said counties, which was referred
to the Committee on Propositions and
resolutions.

(H) presented a bill for the establish-
ment and regulation of Common Schools,
which was read the first time, passed and
to be printed.

A. S. Graham presented a Petition
from citizens of Richmond and Rich-
mond, asking an appropriation for
digging out of Louisa River, which
was referred to the Committee on Federal
matters.

Bryan presented a petition from citi-
zens of Wilkes county against the
creation of a new County out of portions of
Wilkes of Irwin, Wilkes and Surry.
Which was referred to the Committee on Propositions
and resolutions.

An engrossed bill received from the
other side at the time of holding the Coun-
cil of Lincoln was read the first time

THE HOUSE OF REPRESENTATIVES
WEDNESDAY MORNING JANUARY 18TH 1860

All bills introduced are now entitled as set
out by the fifth Chapter of the Revised
Statutes of Missouri, and were read
the first time and passed.

On motion of Mr. Hays, the Committee
on Finance were instructed to inquire
into the expediency of amending the Bank
Law, so as to permit State banks and
trustees to prove the validity of
notes and certificates for work and
materials, as well as for articles delivered.
The report of Mr. H. C. Jones,Chairman of the Committee on Finance,
that no organization had been formed
for the purpose of raising money for the
purpose of redeeming the currency issued by
the State; and that the Public Treasurer
had declined to receive them early and often.
And also,

Monday, Dec. 28,
1859.

SENATE

Resolved, That the Committee on In-
terior Affairs reported a resolution
relating to the purchase of land for the
purpose of establishing a national

...the river, and for a survey of
the all most practicable route be-
tween the Cape Fear; which
first reading.

...and presented a bill to regulate
the trade in the ...

...of South Carolina, which passed
unanimously.

...the State
...the ...

